IN THE U. S. PATENT AND TRADEMARK OFFICE

In re Application of: KLINER, et al.   )

Serial Number: **10/603,521**   )

Filed: **06/25/03**   )

For: **PREFORM FOR PRODUCING**   )

AN OPTICAL FIBER AND METHOD   )

THEREFOR   )

Attorney Docket Number: SD-8317.1   )

Examiner: HOFFMANN, J. M.

Group Art Unit: 1731

Commissioner for Patents

Alexandria, VA 22313-1450   JANUARY 20, 2004

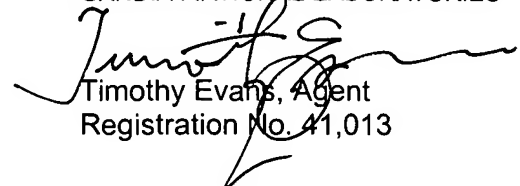## RESPONSE UNDER 37 C.F.R. §1.142

Sir:

     Applicants, through their representative, respectfully submit the following response to the OFFICIAL ACTION mailed 12/30/2003 (paper no. 31222) requiring election of invention as between TWO (2) allegedly distinct inventions in application serial number 10/603,521.

     Examiner has identified a first group of claims (GROUP I) consisting of claims 52 – 58 drawn to a method for making rods, classified in class 65, subclass 404 and a second group (GROUP II) consisting of claim 59 drawn to a glass rods classified in class 428, subclass 428. (Applicants note that Examiner's grouping of claims 52 – 58 should actually be claims 53 – 58 as claim 52 was canceled in Applicants response filed with the filing of the DIVISIONAL application on June 26, 2003.)

     Applicants, therefore, elect Group I consisting of claims 53 – 58, without traverse. Applicants further request that the remaining claim be withdrawn and canceled, without prejudice.

                               Respectfully submitted by,

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I hereby certify that this Correspondence and documents referred to herein were deposited with the United States Postal Service as first class mail addressed to: Mail Stop Non Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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